

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**RICHARD JORDAN and RICKY CHASE**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO.: 3:15CV295-HTW-LGI**

**BURL CAIN, Commissioner,  
Mississippi Department of Corrections, in  
his Official Capacity; MARC MCCLURE,  
Superintendent, Mississippi State  
Penitentiary, in his Official Capacity;  
THE MISSISSIPPI STATE  
EXECUTIONER, in his Official Capacity;  
and UNKNOWN EXECUTIONERS, in  
their Official Capacities**

**DEFENDANTS**

**ROBERT SIMON, and ROGER ERIC THORSON**

**INTERVENORS**

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**ORDER**

On January 19, 2023, the parties appeared for a status conference before this court. The Defendants alerted this court to the current post-conviction postures of the various remaining Plaintiffs and Intervenor. Defendants asserted that no execution date has been set for any remaining parties “at this time”.

The Defendants addressed their Motion for Summary Judgment [Docket no. 280], filed on January 18, 2023. Plaintiffs requested an extended time-period of twenty-eight (28) days to respond to Defendants’ Motion for Summary Judgment. Defendants objected. Plaintiffs, further, stated their intent to conduct additional discovery. Defendants, contrariwise, asserted that no further discovery is necessary in the case at bar. Pursuant to the discussions during the Status Conference:

Plaintiffs shall file a motion seeking an extension of time to respond to Defendant's Motion for Summary Judgment within seven (7) days of this Order. The motion should also address the basis for Plaintiffs' request for additional discovery.

Defendants shall file their response to Plaintiff's motion, in accordance with the Local Rules of Civil Procedure for the United States District Court for the Southern District of Mississippi.

**IT IS SO ORDERED**, this the 20th day of January, 2023.

/s/HENRY T. WINGATE  
UNITED STATES DISTRICT COURT JUDGE